

A Summary of Supreme Court Actions

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WASHINGTON, June 12—
The Supreme Court took the following actions today:

ADMINISTRATIVE LAW

Agreed to decide if parties before the Interstate Commerce Commission in rule-making procedures are entitled to oral arguments as well as the presentation of written evidence and arguments (No. 70-279, United States v. Florida East Coast Railway Company).

APPORTIONMENT

Stayed, 7 to 2, the effect of a lower court's decision declaring unconstitutional the 1971 Connecticut law reapportioning the state's General Assembly, so that the 1972 elections will be held under the 1971 apportionment plan (No. 71-1476, Gaffney v. Cummings).

CRIMINAL LAW

Ruled that indigent defendants in petty cases involving any period of imprisonment are entitled to counsel furnished by the state (No. 70-5015, Argersinger v. Hamlin). Concurring only in result: Burger, Powell and Rehnquist.

Unanimously declared unconstitutional a Kansas law that authorized the state to sue an indigent defendant to recover state funds paid to the defendant's court-appointed defense lawyer and that removed many of the procedural defenses that civil defendants normally have (No. 71-11, James v. Strange).

Ruled, 6 to 3, that the police may "stop and frisk" a suspect on any anonymous tipster's word that the suspect is carrying a loaded pistol (No. 70-283, Adams v. Wil-

liams). Dissenting: Douglas, Brennan and Marshall.

Upheld, 8 to 1, the two-tier state court systems that allow a person dissatisfied with his trial in a misdemeanor court to request another trial in a higher court, with the risk that he may be given a more severe sentence there (No. 71-404, Colten v. Kentucky). Dissenting: Marshall.

Granted the Justice Department's appeal of a lower court's decision that an arrested person is entitled to have a lawyer present when photographs of him are shown to prospective witnesses for identification (No. 71-1255, United States v. Ash).

Agreed to decide if the Federal drug abuse law of 1971, which eliminated the prior mandatory five-year imprisonment for certain narcotics offenses, applies to offenses committed before the effective date of the new law (No. 71-1303, Bradley v. United States).

Agreed to decide if a court can constitutionally try and convict a defendant in his absence when he has been notified of his trial date but has failed to appear (No. 71-6060, Tacon v. Arizona).

Agreed to decide whether a prisoner in a state penitentiary may bring habeas corpus proceedings in the nearest Federal District Court to force state officials in another state to grant him a speedy trial on charges pending against him there (No. 71-6516, Braden v. 30th Judicial Circuit Court).

Ruled summarily, 8 to 0, that the Supreme Court's 1970 holding that guilt in juvenile court must be proved beyond a reasonable doubt must be applied retroactively to void any convictions imposed before the announcement of the 1970 decision (No.

71-6425, Ivan v. City of New York. Abstaining: Burger.

GOVERNMENT EMPLOYEES

Agreed to rule on the constitutionality of a New York law that bars noncitizens of the United States from civil service jobs with the New York City Government (No. 71-1222, Sugarman v. Dougall).

INDIANS

Agreed to decide if an Indian on a reservation must pay the state cigarette tax and obtain a state license before he may sell cigarettes (No. 71-1031, Tonasket v. Washington).

PRIVATE CLUBS

Ruled, 6 to 3, that states are not required by the Constitution to deny state liquor licenses to clubs that refuse to admit Negroes as guests (No. 70-75, Moose Lodge 107 v. Irvis). Dissenting: Douglas, Brennan and Marshall.

PROCEDURE

Held, 8 to 1, that a party to a contract who agrees that any dispute must be litigated in a certain foreign court is precluded from bringing suit in United States courts unless he can show that to be forced to litigate in the court abroad would be unreasonable, unfair or unjust (No. 71-322, the Bremen v. Zapata Offshore Company). Dissenting: Douglas.

REPOSSESSION

Ruled unconstitutional, 4 to 3, state laws that permit installment sellers, with no notice to purchasers, to obtain court orders and to seize back property from purchasers who are said to be behind on payments (No. 70-5039, Fuentes v. Shevin). Dissenting: Burger, White, Blackmun. Abstaining: Powell and Rehnquist.